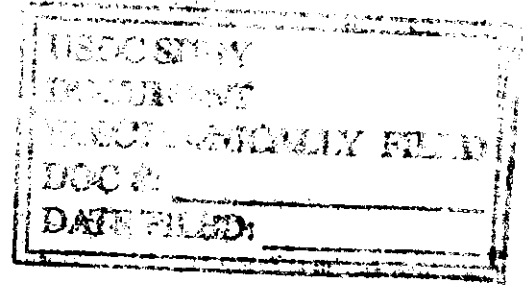


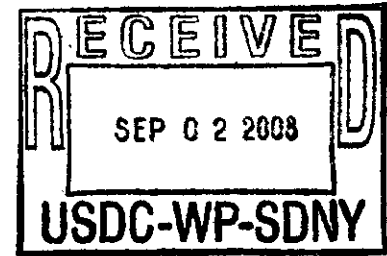
MEMO ENDORSED

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September 2, 2008

Via Fax (914) 390-4095



Donna Hilbert, Esq.
Chambers of the Hon. George A. Yanthis, U.S.M.J.
United States District Court, S.D.N.Y.
300 Quaroppos Street, Room 118
White Plains, New York 10601

Re: Horn v. O'Brien et al.
07 Civ. 7833 (KMK) (GAY)

7822

Dear Ms. Hilbert:

Per our phone conversation this morning, I was counsel to the late Michael P. Barnes, attorney for the plaintiffs in the above matter, who passed away unexpectedly on or about August 6.

I have been in contact with Mr. Horn regarding the case, and may be assuming representation of the plaintiffs pending further review. In view of this development I would respectfully ask that the phone conference currently scheduled for September 4 be adjourned until October 2, or a later date convenient for the Court.

I will, of course, keep the Court apprised of developments, and I thank the Court for its assistance, and the parties for their courtesies, in this situation.

Telephone Conference
Scheduled for 10/2/08 at
9:30 A.M. Plaintiff to
cc (via fax): Susan H. Odessky, Esq.
Michael Levinson, Esq.
Initiate the case.
Grant/DH

Very truly yours,

William A. Thomas
William A. Thomas (WT 0116)
Granted.

SO ORDERED:

George A. Yanthis
Hon. George A. Yanthis
U.S. Magistrate Judge. *9/3/08*